

Executive Order No. 2009-04
Reaffirming Arizona as a Right to Work State
(Superseding Executive Order 2008-30)

WHEREAS, Arizona is a right to work state and has long prohibited compulsory union membership as a condition of employment,

WHEREAS, the clear intent of the electorate of Arizona in enacting Article 25 of the Arizona Constitution and Arizona's "right to work" laws was to ensure the freedom of workers to choose whether to join and participate in a union,

WHEREAS, the State of Arizona is experiencing a catastrophic fiscal crisis and public entities receiving state general fund dollars are striving to maintain acceptable service levels with fewer financial and personnel resources,

WHEREAS, a broad meet and confer process in state government establishes a precedent for mandatory union activity in the public sector that is contrary to the citizens' need for efficient and responsive government administration,

WHEREAS, mandatory union activity within state government could unnecessarily result in the deprivation of essential public services,

WHEREAS, Executive Order 2008-30 establishes a broad meet and confer process that exposes the State of Arizona to legal claims by voluntary unions to compel non-union state employees to pay union "fair share" expenses for costs incurred by the union that benefit nonmember employees,

WHEREAS, notwithstanding the fundamental right to work issues raised by Executive Order 2008-30, the Order establishes an election for union representation by state employees that fails to set forth critical election procedures,

WHEREAS, notwithstanding the fundamental right to work issues raised by Executive Order 2008-30, the Order deprives dues paying members of a voluntary employee union a vote in an election to establish a meet and confer process,

NOW, THEREFORE, I, Janice K. Brewer, by virtue of the authority vested in me as Governor of the State of Arizona by the Arizona Constitution and the Laws of Arizona,

1. Reaffirm Arizona as a right to work state that prohibits a broad and mandatory meet and confer process within state government; and
2. Order and direct that Executive Order 2008-30 is hereby superseded by this Order.

IN WITNESS WHEREOF, I have hereunto set
my hand and caused to be affixed the Great Seal
of the State of Arizona



Janice K. Brewer
GOVERNOR

DONE at the Capitol in Phoenix on this 2nd day
of April in the Year of Our Lord Two Thousand
and Nine and of the Independence of the United
States of America the Two Hundred and Thirty-
Third.

ATTEST

Klu Blumett
Secretary of State